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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,592	03/29/2004	Hao-Cheng Lin	1190889-991330	3205
26379	7590	07/26/2005	EXAMINER	
DLA PIPER RUDNICK GRAY CARY US, LLP 2000 UNIVERSITY AVENUE E. PALO ALTO, CA 94303-2248			PAPE, ZACHARY	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/812,592

Applicant(s)

LIN, HAO-CHENG

Examiner

Zachary M. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Hoedl (US 5,831,823).

With respect to claim 1, Hoedl teaches a heat-dissipating device adapted for use with a portable computer (24) that includes a host module and a display module connected pivotally to the host module, said heat-dissipating device comprising: a support member (10) including a box body having a bottom wall (Not labeled) and a peripheral wall (12, 16) that extends upwardly from periphery of said bottom wall, said box body being formed with an air inlet (42) and an air outlet (44), said peripheral wall being adapted to support the host module of the portable computer thereon (As illustrated in Figs 3-5); and a fan unit (34) mounted on said box body and operable so as to draw air into said box body through said air inlet and so as to discharge the air in said box body through said air outlet (As illustrated in Fig 3).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2-5 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

**Hoedl.**

With respect to claim 2, Hoedl teaches the limitations of claim 1 above, and further teaches that the air outlet is formed in the peripheral wall of the box body (As illustrated in Fig 3, the air stream (36) flows out the left side of the box), but fails to teach that the air inlet is formed in the bottom of the box body. It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the air inlet at the bottom of the box body, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70. Placing the air inlet in the bottom wall would allow for the box of Hoedl to accommodate a larger sized computer since the air inlet (42) would no longer be between the peripheral wall (16) and the members (50). Allowing the box to accommodate a larger sized computer increases the utility of the box.

With respect to claim 3, Hoedl further teaches that the fan unit (34) is mounted on said bottom wall (As illustrated in Fig 3, the fan is mounted to the bottom wall via 26), is disposed in said box body, and is registered with said air inlet (As illustrated in Fig 3).

With respect to claim 4, Hoedl further teaches that the peripheral wall includes an outer wall portion (12) extending from said bottom wall, and an inner wall portion (16) fitted in said outer wall portion, said inner wall portion configuring said box body with a lower receiving space proximate to said bottom wall, and an upper receiving space in

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spatial communication with said lower receiving space and larger than said lower receiving space, said upper receiving space having dimensions sufficient to receive the host module of the portable computer fittingly therein (As illustrated in Fig 3).

With respect to claim 5, Hoedl teaches the claim limitations of 4 above, but fails to teach that the air outlet is formed through said inner and outer wall portions and is registered with said lower receiving space. It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the air outlet through the inner and outer wall portions since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70. Moving the air outlet such that it is formed through the inner and outer wall portions would allow for the box of Hoedl to accommodate a larger sized computer since the air outlet (44) would no longer be between the peripheral wall (16) and the members (50). Allowing the box to accommodate a larger sized computer increases the utility of the box.

**3. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoedl in view of Katz (US 5,134,245).**

With respect to claim 6, Hoedl teaches the limitations of claim 4 above, but fails to teach that the box body further has a connector hole that is formed through said inner and outer wall portions and that is registered with said upper receiving space. Katz teaches the use of a box body (5) further having a connector hole that is formed through the inner and outer wall portions and is further registered with the upper receiving space (As illustrated in Fig 2, the hole (adjacent 16) is formed through the inner (near 16) and outer (opposite 16 on the same wall) wall portions and is created in the upper receiving

space (17) to receive plug members 13-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the hole and its placement of Katz with the computer cooling device of Hoedl to provide a means of supplying power to the computer (24) while in the box. Providing power to the computer allows the user to use the computer for an indefinite period of time, and further allows the computer to operate both the fan and computer without draining an internal battery.

With respect to claim 7, Katz further teaches a plug (13-15) fitted removably said connector hole (Column 2, Lines 27-31).

**4. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoedl in view of Canale (US 5,820,791).**

With respect to claims 8 and 9, Hoedl teaches the claim limitations as recited above in claim 1, but fails to teach a fragrance dispenser mounted in said box body. Canale teaches a fragrance dispenser for use in a ventilation system (Column 1, Lines 5-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the fragrance dispenser of Canale with the box ventilation system of Hoedl to provide a scented fragrance releasing device for freely dispensing a scented fragrance into the air near the air outlet. (Column 2, Lines 44-46). Providing a scented fragrance into the air helps to combat offensive odors and alter inter odors present in the box (Column 1, Lines 12-17). Further providing the fragrance dispenser near the air outlet will allow the dispenser to deodorize more air since air will be collected between the air inlet and outlet and then be deodorized.

**5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoedl in view of Cipolla et al. (US 6,115,249).**

With respect to claim 10, Hoedl teaches the limitations of claim 1 above, but fails to teach that the support member further includes a set of foot posts mounted on said bottom wall of said box body. Cipolla et al. teaches a support member (14) that further includes a set of foot posts (24) mounted on a bottom wall of a body (As illustrated in Fig 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the foot posts (24) of Cipolla et al. with the support member and box body of Hoedl to provide a means of allowing the computer to better disperse heat (by raising the base of the computer off the surface as illustrated in Fig 2) thus increasing the cooling of the system (Column 1, Lines 45-52).

**6. Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoedl in view of May et al. (US 6,255,622).**

With respect to claim 11, Hoedl teaches the limitations of claim 1 above, but fails to teach a detecting circuit that includes a temperature sensor for detecting temperature in a box body. May et al. teaches a detecting circuit that includes a temperature sensor for detecting temperature in said box body (Figs 4a-c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the detecting circuit and temperature sensor of May et al. with the heat dissipating device of Hoedl to provide a thermal management system to protect internal components from excessive heat (Column 2, Lines 41-45). Protecting internal components from

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excessive heat will reduce the damage to components and thus reduce the cost of operation to the user.

With respect to claim 12, May et al. further teaches that the temperature sensor is a thermistor (Column 4, Lines 49-51).

With respect to claim 13, May et al. further teaches that the detecting circuit is coupled to the fan unit and is configured to control operating speed of said fan unit according to the temperature in said box body (Column 4, Lines 56-59).

With respect to claim 14, May et al. further teaches that the detecting circuit is configured to generate an alarm output according the temperature in said box body (Column 6, Lines 16-22).

With respect to claim 15, May et al. further teaches a control switch (16) mounted on said box body and coupled to said fan unit (Via circuits, etc.), said control switch being operable so as to control operating speed of said fan unit (The user could utilize the touchpad of claim 16 to either shut down the computer system thus controlling the operating speed of the fan, or could require the computer to function in such a manner that the speed of the fan via the circuits as disclosed in Fig 4a-c would have to control the operating speed of the fan unit).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Han (US 6,304,441); McCullough et al. (US 6,487,073); Jones et



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al. (US 2004/0212958); and Tomioka (US 6,266,243). Each of the references further teach the use of fans located in a base used to cool a laptop computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP

  
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